

REMARKS

The Application previously presented Claims 1-27. No claims have been added or canceled. Hence, Claims 1-27 remain pending in this Application.

Claim 1 was amended to correct a typographical error and to clarify that the mobile terminals are located within a predetermined distance to a border of a non-cosited cell. A similar clarifying amendment was made to Claim 18. Support for the amendments can be found throughout the Disclosure in general and at least on page 14, lines 16-20 of the Specification.

In the Office Action, Claims 1, 2, 4, 7-9, 11, 18-19, 21, and 27 were rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 5,898,682 (Kanai). Further, Claims 3, 5, 6, 10, 12-17, 20, and 22-26 were rejected under 35 U.S.C. 103(a) as being unpatentable over Kanai in view of U.S. Patent No. 5,884,178 (Ericsson). To the extent the rejections may be applied to the amended claims, these rejections are respectfully traversed.

The present invention, as recited in amended independent Claim 1, is directed to a method of improving the speech quality in a cellular communications network. The method includes the steps of selecting a cell and evaluating a plurality of mobile reports received from mobile terminals in the cell. The particular mobile terminals that send the reports are located within a predetermined distance to the border of a non-cosited cell. A speech quality value is then determined for a portion of the cell based on the plurality of mobile reports. The portion of the cell is thereafter increased or decreased based on the speech quality value. /

Amended independent Claim 18 is directed to a cellular communications network and recites similar limitations.

It is respectfully submitted that neither Kanai nor Ericsson discloses or suggests using reports from mobile terminals that are specifically located within a predetermined distance to the border of a non-cosited cell.

Kanai appears to be directed to a cellular communications system involving cell size adjustment. The size of a cell is adjusted according to the quality of a communications channel in the cell. The quality is determined by a control apparatus which monitors the bit error rate or frame error rate of the communications channel. The control apparatus indicates a traffic overload if there is deterioration in the quality of the communications channel. The size of the cell using that channel is then reduced by decreasing the power of either the signal transmitted by the basestation for that cell, or by changing the handoff parameters sent to the mobile units in that cell. The adjacent cells are then increased in size correspondingly so that there is no gap in coverage. However, nowhere does Kanai disclose or suggest using reports from mobile terminals that are located within a predetermined distance to the border of a non-cosited cell in order to determine whether to adjust the size of a selected cell.

Ericsson also fails to teach or suggest using reports from mobile terminals that are located within a predetermined distance to the border of a non-cosited cell to determine whether to adjust the size of a selected cell. Indeed, Ericsson appears to be directed only to a method and apparatus for taking into account the Doppler shift when calculating a frequency offset value for a cell.

Therefore, even assuming *arguendo* that there is motivation to combine Kanai with Ericsson, and that the two references may be combined in some meaningful manner, the combination would not produce the claimed invention.

Accordingly, because neither Kanai nor Ericsson (nor any other art of record), taken alone or in combination, teaches or suggests the claimed invention, withdrawal of the rejection against independent Claims 1 and 18 is respectfully requested.

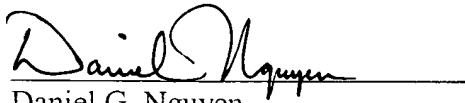
As for dependent Claims 2-17 and 19-27, although these claims recite independently allowable subject matter, they depend from Claims 1 and 18, respectively, and are therefore allowable for at least the same reasons as Claims 1 and 18. Accordingly, withdrawal of the rejection against the dependent claims is also respectfully requested.

In view of the foregoing, Applicants respectfully request the thorough reconsideration of this Application and earnestly solicit an early Notice of Allowance for Claims 1-27. If any questions or issues remain and the resolution of which the Examiner feels will be advanced by a conference with the Applicants' attorney, the Examiner is invited to contact the attorney at the number noted below.

No fees are due as a result of this Reply. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 10-0447, Reference No. 34648-00415USPT.

Respectfully submitted,

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